

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

**RWS&S** – Execution of RWS Projects- 5 Years Defect Liability Period and mandatory for O&M during defect liability period with the original contractor/agency in all future RWS works Modalities and Detailed Procedures to be followed for calling tenders – Certain modifications and incorporations in Tender Conditions for MVS works – Permission - Accorded – Orders - Issued.

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT (RWS II) DEPARTMENT**

**G.O. Rt. No. 85**

**Dated 17 -01-2013**  
**Read the following :-**

- 1) G.O.Rt.No.1584 PR&RD(RWS.II)Dept. dated:27-08.2012.
- 2) From ENC, RWS&S, Hyd. Lr.No.T1/TOR-Third Party estimates//2012, Dated 11.07.2012 and Dated:19.10.2012.
- 3) Govt.Memo.No.16605/RWS.II/A2/2012,Dated:06.11.2012of PR&RD(RWS.II)Department.
- 4) From the ENC, RWS&S, Hyd. Lr.No.AEE/DEE II/RWS(P)/Tenders Conditions//2010, Dated 06.11.2012.
- 5) From the ENC, RWS&S, Hyd. Lr.No.AEE/DEE II/RWS(P)/Tenders Conditions//2010, Dated 05.12.2012.

**O R D E R:-**

In the circumstances reported by the Engineer-in-chief, Rural Water Supply and Sanitation Department, Hyderabad vide his letters read above, he has stated that the Government have issued orders vide reference 1<sup>st</sup> read above, to go for 5 years defect liability period in all future RWS works. So far, 2 years defect liability period has been implemented in RWS works. For effective implementation of 5 years defect liability period in RWS works, certain tender conditions need to be modified/incorporated in tender conditions. Further, he has stated that a meeting was convened in the chambers of the Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad with all the Chief Engineers, RWS&S on 01.10.2012 and thoroughly discussed about the modalities for implantation of 5 years defect liability period in RWS works and recorded their recommendations in the minutes. Therefore, he has requested the Government for issue necessary orders for implantation of 5 years defect liability period for MVS Schemes with the following modifications / incorporations in Tender conditions:-

**A. Operating & Maintenance of the Scheme:** So far, the executing agency is executing the operation & maintenance of the Scheme during the 2 years defect liability period after successful completion and commission of the Scheme. As the Government have accorded permission to go for 5 years defect liability period in all RWS works, the executing agency has to execute Operating and Maintenance of the Scheme during the 5 years defect liability period.

**B. Provision towards O&M in the original estimate:** Provision has been made in the original estimate for O&M of the Scheme during the 2 years defect liability period so far.

**C. Maintenance of Assets:** Presently, the MVS Schemes have been handed over to Z.P after the completion of the defect liability period.

**D. Entrustment & Agreement for O&M of the Scheme during the defect liability period:**

Presently, the original construction agency/contractor of the scheme is held responsible for operation and maintenance of the scheme during the 2 years defect liability period.

**E. Payments to original construction agency towards O&M during the defect liability period:** At present, O&M payments (excluding power charges) have been paid to the execution agency for the actual operation, regular & periodical maintenance and as per quantity of water supplied based on the approved estimate rates during the 2 years defect liability period.

(P.T.O)

**F. Release of Bank Guarantee towards 2.5% EMD balance FSD and 1% performance Security Deposit:** At present, BGs have been released to the executing agencies after completion of 2 years defect liability period.

2. The Government after careful examination of the request of the Engineer-in-Chief, Rural Water Supply and Sanitation Department, Hyderabad in para -1- above, hereby accord the following the modifications / incorporations in Tender conditions for implementation of 5 years defect liability period for MVS Schemes in RWS works:-

**In respect of A:** It is mandatory for the construction agency/ contractor of MVS schemes to Operate & Maintain the MVS scheme during the 1<sup>st</sup> 5 years after completion and successful commissioning of the Scheme fully.

**In respect of B:** No provision will be made in the original estimate as Zilla Parishad will give separate administrative sanction for O&M of the Scheme every year from commissioning year with O&M funds of Zilla Parishad on those released by Government.

**In respect of C:** The MVS Scheme will be handed over to Z.P. after completion and successful commissioning, as there is no provision for O&M in the original estimate.

**In respect of D:** The contractor is responsible for work as per specifications for 1<sup>st</sup> 5 years after commissioning. If there is defect in the capital or O&M work of the agency, they can be blacklist duly following procedure by either RWS&S for capital work or by local body for O&M work and then a different agency can be selected duly following prescribed procedure.

**In respect of E:** Regular & periodic maintenance will be responsibility of the contractor and original work & O&M estimate should provide for it. No separate payment should be made for it. Only supply charges on a per KL basis of actual bulk water supplied to the Village points needs to be paid.

**In respect of F:** Bank Guarantee which is presently being released after 2 years should be released after 5 years.

3. The Engineer-in-Chief, Rural Water Supply and Sanitation Department, Hyderabad, shall take necessary further action in the matter and to intimate to all the concerned under his control.

4. A copy of this order is available on the internet and can be accessed at the address – <http://www.ap.gov.in/goir>.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**VIKAS RAJ,  
SECRETARY TO GOVERNMENT**

**To**

The Engineer-in-Chief, Rural Water Supply and Sanitation Department, Hyderabad.

The Accountant General, AP, Hyderabad.

The Senior Dy. Accountant General, (LABA), O/o Accountant General, AP, Hyderabad.

The Director of Accounts, Works and Project, M.J.Road, Nampally, Hyderabad.

**Copy to:**

The Secretary, Ministry of Drinking Water and Sanitation, Government of India, 8<sup>th</sup> Floor, paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi – 110003..

The P.S. to M (PR&RWS).

The P.S. to Secy( RWS&S ).

The RWS-I, RWS-II-A, RWS-III Sections in this Department.

SF/SC

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**